

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

METROPOLITAN CAPITAL ADVISORS
INTERNATIONAL LTD. and JEFFREY E.
SCHWARZ, derivatively on behalf of NAVIOS
MARITIME ACQUISITION CORPORATION,

Plaintiffs,

- v -

NAVIOS MARITIME HOLDINGS, INC.,

Defendant,

-and-

NAVIOS MARITIME ACQUISITION CORPORATION,

Nominal Defendant.

1:16-CV-2437 (AJN)

DECLARATION

TAMMY P. BIEBER declares under penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

1. I am a member of the firm of Thompson Hine LLP, counsel for nominal defendant Navios Maritime Acquisition Corporation (“Navios Acquisition”) in this matter. I respectfully submit this declaration in connection with the Stipulation and Order of Dismissal that was entered on June 6, 2016.

2. On June 9, 2016, Navios Acquisition filed with the U.S. Securities and Exchange Commission a Report of Foreign Private Issuer on Form 6-K.

3. Attached to the Form 6-K as Exhibit 99.1 is a copy of the Stipulation and Order of Dismissal concerning the dismissal of the above-captioned action and the payment of attorneys’ fees entered by the Court on June 6, 2016.

I declare under penalty of perjury that the foregoing is true and correct. Executed on
June 13, 2016 in New York, New York.

/s/Tammy P. Bieber

Tammy P. Bieber